



Senate

General Assembly

File No. 209

January Session, 2011

Substitute Senate Bill No. 1075

Senate, March 24, 2011

The Committee on Housing reported through SEN. GOMES of the 23rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING PUBLIC HOUSING GRIEVANCE PROCEDURES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 8-68f of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2011*):

3 Each housing authority [which receives] that owns and operates
4 housing under part II or part VI of this chapter or that receives or has
5 received financial assistance under any state housing program, and the
6 Connecticut Housing Finance Authority or its subsidiary when said
7 authority or subsidiary is the successor owner of housing previously
8 owned by a housing authority under part II or part VI of this chapter,
9 shall, for housing which it owns and operates, (1) provide each of its
10 tenants with a written lease, (2) adopt a procedure for hearing tenant
11 complaints and grievances, (3) adopt procedures for soliciting tenant
12 comment on proposed changes in housing authority policies and
13 procedures, including changes to its lease and to its admission and
14 occupancy policies, and (4) encourage tenant participation in the

15 housing authority's operation of state housing programs, including,
16 where appropriate, the facilitation of tenant participation in the
17 management of housing projects. If such housing authority or the
18 Connecticut Housing Finance Authority or its subsidiary operates both
19 a federal and a state-assisted housing program, it shall use the same
20 procedure for hearing tenant grievances in both programs. The
21 Commissioner of Economic and Community Development shall adopt
22 regulations in accordance with the provisions of chapter 54 to establish
23 uniform minimum standards for the requirements in this section. Said
24 commissioner shall publish notice of intent to adopt such regulations
25 in the Connecticut Law Journal not later than September 1, 2011, and
26 shall submit such regulations to the standing legislative regulation
27 review committee, as provided in subsection (b) of section 4-170, not
28 later than December 1, 2011. In accordance with section 11-4a, said
29 commissioner shall submit a report on the adoption of such
30 regulations to the joint standing committee of the General Assembly
31 having cognizance of matters relating to housing not later than
32 February 1, 2012.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2011	8-68f
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HSG *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which requires the Department of Economic and Community Development (DECD) to adopt regulations pursuant to C.G.S. 8-68f, has no fiscal impact. DECD is currently in the process of completing regulations thereby fulfilling the intent of the bill.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 1075****AN ACT CONCERNING PUBLIC HOUSING GRIEVANCE PROCEDURES.****SUMMARY:**

This bill expands the types of housing authorities that must implement tenants' rights and grievance procedures to include those that (1) own and operate moderate-income rental housing or housing for elderly people or (2) previously received state assistance. Current law requires (1) housing projects that presently receive state assistance and (2) moderate-income rental housing or elderly housing that the Connecticut Housing Finance Authority (CHFA) or its subsidiary owns and that a housing authority previously owned, to implement the procedures.

The bill requires the Department of Economic and Community Development commissioner to publish notice by September 1, 2011 of intent to adopt regulations establishing uniform minimum standards for the procedures and submit the proposed regulations to the Regulations Review Committee by December 1, 2011. Existing law already required the commissioner to adopt the regulations, but he has not done so.

The law, unchanged by the bill, requires a housing authority or CHFA or its subsidiary to adopt a uniform grievance procedure if it operates both federally- and state-funded housing projects.

The bill also makes a technical change.

EFFECTIVE DATE: July 1, 2011

BACKGROUND

Tenants' Rights and Grievance Procedures

Housing authorities receiving state assistance and CHFA or its subsidiary when it is the successor owner of housing previously owned by a housing authority for moderate-income rental housing or housing for elderly people must (1) provide their tenants with a written lease, (2) adopt a procedure for hearing tenant complaints and grievances, (3) adopt procedures for tenants to comment on proposed housing authority policy and procedure changes, and (4) encourage tenant participation in the housing authority's operation of state housing programs.

Federal Grievance Procedures

Federal regulations require housing authorities operating federally-funded housing projects to adopt grievance procedures giving tenants the opportunity for a hearing. The authorities must include these procedures, or cite them by reference, in the lease. They must also give tenants at least 30 days notice before changing the procedures.

Under the procedures, a tenant must present his or her grievance in person or in writing to the authority to see if the parties can resolve the dispute without a hearing. The authority must make a written record of the meeting and send the tenant a copy. The tenant can request a hearing by submitting a written request stating the reason for the grievance and the relief he or she seeks.

The authority appoints a hearing officer in the manner the grievance procedure specifies, and it must comply with his or her decision. The decision does not block the tenant from taking legal action (24 CFR 966.51 *et seq.*).

COMMITTEE ACTION

Housing Committee

Joint Favorable Substitute

Yea 9 Nay 2 (03/10/2011)